

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARGARET SHERMAN and RICHARD)
SHERMAN,)
)
 Plaintiffs,)
)
vs.) Case No. 8:04CV300
)
)
SHANGLI JIN XIN EXPORT) **ORDER**
FIREWORKS FACTORY, INC.,)
SUNSONG AMERICA, INC.,)
SHIU FUNG FIREWORKS CO. LTD.,)
WINCO FIREWORKS, INC. and)
WINCO FIREWORKS)
INTERNATIONAL, LLC,)
)
 Defendants,)
and)
)
WINCO FIREWORKS, INC. and)
WINCO FIREWORKS INTERNATIONAL,)
LLC,)
)
 Third Party Plaintiffs,)
)
vs.)
)
STANLEY KAPUSTA, LAURA)
KAPUSTA, HALE FIREWORKS, LLC,)
And ROBERT D. HALE, JANE HALE,)
LUCAS HALE, R. MITCHELL HALE and)
SUZYN HALE, d/b/a HALE'S)
FIREWORKS,)
)
 Third Party Defendants.)

This matter is before the Court pursuant to Plaintiffs' Motion for Leave to File Second Amended Complaint (Filing No. 138). Plaintiffs' Motion is unopposed, and the Court finds that Plaintiffs' Motion should be granted. Accordingly,

IT IS ORDERED:

1. Plaintiffs' Motion to File Second Amended Complaint (Filing No. 138) is granted.

Plaintiffs shall serve the amended pleading forthwith.

2. Defendants shall respond to the Second Amended Complaint within the time permitted by Fed. R. Civ. P. 15(a).

DATED November 22, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**